CHAPTER 54.

An Act to make better provision for the adjustment of Parish Boundaries, and to make further amendments in the Acts relating to the relief of the Poor in England.

[15th August 1879.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Poor Law Act, 1879.

Extent of Act.

2. This Act shall not extend to Scotland or Ireland.

Commencement of Act.

3. This Act shall come into operation on the first day of September one thousand eight hundred and seventy-nine, which day is in this Act referred to as the commencement of this Act.

Parish Boundaries.

Applying certain provisions of 39 & 40 Vict. c. 61. to inconvenient divisions of parishes.

4. Where part of a parish is on one side while the residue of the parish is on the other side of the boundary of a municipal borough or county, or of a river, estuary, or branch of the sea, or where part of a parish is so situate as to be nearly detached from the residue of the parish, or is otherwise so situate as to render the administration of the relief of the poor in or the local government of such part in conjunction with the residue of the parish inconvenient, the said parish shall be deemed to be a divided parish within the meaning of section one of the Divided Parishes and Poor Law Amendment Act, 1876, and the provisions of that Act shall apply accordingly in like manner as if the said part were isolated as mentioned in that section.

39 & 40 Vict. c. 61.

Removing doubts as to construction of 39 & 40 Vict. c. 61. s. 1.

5. Whereas by section one of the Divided Parishes and Poor Law Amendment Act, 1876, an order may be made "for constituting "separate parishes out of the divided parish, or for amalgamating "some of the parts thereof with the parish or parishes in which the "same may be locally included, or to which they may be annexed"; and doubts have arisen with respect to the construction of the said provision, and it is expedient to remove such doubts: Be it therefore enacted as follows:

An order under the said Act may deal with several divided parishes at the same time, and may constitute separate parishes out of any of such divided parishes or out of parts of several divided parishes, and may unite any parts of a divided parish or of several divided parishes with each other, and amalgamate the parts so united with any adjoining parish, and may amalgamate any part of a divided parish or parts of several divided parishes with an adjoining parish or adjoining parishes.

Extension of 39 & 40 Vict. c. 61. to certain places formerly extra-parochial.

6. Where a parish was at the time of the passing of the Act of the twentieth year of Her present Majesty, chapter nineteen, intituled "An Act to provide for the relief of the Poor in extra-"parochial places," an extra-parochial place, and a representation is made to the Local Government Board that, by reason of the relative size and shape of such parish, and its position in respect to other parishes, the relief of the poor could be better administered

if the same, or any part or parts thereof, were amalgamated with the adjoining parish or parishes, an order may be made in pursuance of the Divided Parishes and Poor Law Amendment Act, 1876, in relation to such parish, in like manner as if the said parish were a divided parish. 39 & 40 Vict. c. 61.

Removing doubts as to effect of an order under 39 & 40 Vict. c. 61. s. 5.

7. Whereas by section five of the Divided Parishes and Poor Law Amendment Act, 1876, provision is made for dealing with a parish included in a highway district, and doubts have arisen as to the effect of an order under the said Act so far as regards highways, and it is expedient to remove such doubts: Be it therefore enacted as follows:

Where a parish is a place separately maintaining its own highways, an order made either before or after the commencement of this Act under the Divided Parishes and Poor Law Amendment Act, 1876, shall be deemed to have dealt with that parish for highway as well as for poor law purposes. 39 & 40 Vict. c. 61.

Where a parish is not a place separately maintaining its own highways, an order under the Divided Parishes and Poor Law Amendment Act, 1876, dealing with such poor law parish or any part thereof, may deal with any area affected by the order for highway purposes in like manner as it deals with the same for poor law purposes. 39 & 40 Vict. c. 61.

Where any such order has been made before the passing of this Act, a supplemental order may be made under the said Act for the purposes of dealing with the area so far as regards highways.

For the purposes of this section, any parish, township, or place separately maintaining its own highways or entitled to return a separate waywarden to a highway board under the Highway Acts shall be deemed to be a place separately maintaining its own highways.

Miscellaneous Amendments of Law.

Combination of unions not in the metropolis.

8. Where on any representation it appears to the Local Government Board that the combination of two or more unions not in the metropolis for any purpose connected with the administration of the relief of the poor would tend to diminish expense, or would otherwise be of public or local advantage, the Board may, with the consent of the guardians of the unions to be combined, make an order for combining such unions for the purposes named therein, and for constituting for the execution of such purposes a joint committee of the guardians of each of the combined unions.

The order shall define the powers, rights, duties, liabilities, and obligations of the joint committee, and regulate the election, meetings, and officers of the joint committee, the mode of defraying the expenses of the joint committee, and any other matter or thing (including the adjustment of present and future liabilities and property) which it appears necessary or proper to regulate for the better carrying into effect the order.

The guardians of a union included in such combination shall, save as otherwise provided by the order, cease to exercise any powers and rights, and to be subject to any duties, liabilities, and obligations vested by the order in the joint committee.

All property acquired by the joint committee shall be vested in the boards of guardians of the unions included in the combination as tenants in common.

An order may be made for amending, adding to, or revoking any order previously made under this section.

Amendment of 30 & 31 Vict. c. 106. s. 2. as to application for alteration of certain Local Acts.

9. An application under section two of the Poor Law Amendment Act, 1867, may be made by any churchwardens, overseers, managers, commissioners, or other persons having any powers or duties under any such Local Act as is in that section mentioned, as well as by the guardians.

Extension of 14 & 15 Vict. c. 105. s. 4. as to subscriptions to institutions.

10. Whereas by section four of the Poor Law Amendment Act, 1851, guardians are authorised, with such consent as is therein mentioned, to subscribe towards the support and maintenance of any public hospital or infirmary as therein mentioned, and it is expedient to extend the said section: Be it therefore enacted as follows:

The provisions of the said section shall extend to authorise the guardians, with such consent as is therein mentioned, to subscribe towards any asylum or institution for blind persons, or for deaf and dumb persons, or for persons suffering from any permanent or natural infirmity, or towards any association or society for aiding such persons, or for providing nurses, or for aiding girls or boys in service, or towards any other asylum or institution which appears to the guardians, with such consent as aforesaid, to be calculated to render useful aid in the administration of the relief of the poor.

Provided always, that nothing herein contained shall authorise any subscription to any asylum or institution unless the Local Government Board be satisfied that the paupers under the guardians have or could have assistance therein in case of necessity.

Power for guardians to borrow for furnishing, &c. workhouses. 4 & 5 Will. 4. c. 76.

11. The guardians of any union, for the purpose of fitting up and furnishing any workhouse under their control, may borrow money in accordance with the provisions of the Poor Law Amendment Act, 1834, and the Acts amending the same, including this Act.

Amendment of 32 & 33 Vict. c. 45. s. 5. as to loans to guardians. 32 & 33 Vict. c. 45.

12. Whereas section five of the Union Loans Act, 1869, provides that any sum or sums of money borrowed by guardians may be repaid either by thirty equal annual payments of the principal, or by such equal annual payments as will repay the sum borrowed within thirty years, and it is expedient to authorise the repayment of any sum or sums in manner herein-after mentioned: Be it therefore enacted as follows:

Section five of the Union Loans Act, 1869, shall be construed as if there were substituted for the thirty equal annual payments and the thirty years therein mentioned such number of equal annual payments not exceeding thirty, and such number of years not exceeding thirty, as the guardians, with the consent of the Local Government Board, may in each case determine.

Application of 32 & 33 Vict. c. 45. to loans to managers of district schools, &c. 30 & 31 Vict. c. 6.

13. The provisions of the Union Loans Act, 1869, shall be deemed to have applied, and as amended by this Act shall apply, to the managers of district schools and to the managers of districts constituted under the Metropolitan Poor Act, 1867, in like manner as if they were guardians.

Transfer of buildings, &c. to rural sani-

14. If it appear to the guardians of any union desirable that any hospital or building vested in them as guardians under the Acts

relating to the relief of the poor should be vested in them as the rural sanitary authority of such union, for the reception of persons suffering from any dangerous infectious disorder, the guardians may, by resolution, to be confirmed by an order of the Local Government Board, transfer such hospital or building accordingly; and from and after the date named in the order such hospital or building shall be deemed to be vested in the guardians as the rural sanitary authority of the union, for the use of the inhabitants of the union or part thereof named in the resolution and order.

tary authority for use as infection hospitals.

If the same is to be for the use of the inhabitants of any part of the union comprised in an urban sanitary district the order may determine the contribution to be made by the urban sanitary authority of such district towards the maintenance of the hospital or building.

Where an urban sanitary district comprises part of the union, and the said hospital or building is not to be for the use of the inhabitants of that part, the order may determine the value of the interest of that part of the union in such hospital or building, and the manner in which such value is to be paid to that part by the residue of the union for whose use the hospital or building is to be kept and the application of the sum so paid.

Power for Metropolitan Asylums Board to contract with local authority for reception, &c. in hospital of persons suffering from dangerous infectious disorder. 18 & 19 Vict. c. 121.

15. The Metropolitan Asylums Board may from time to time, with the approval of the Local Government Board, contract with any local authority in the metropolis acting in the execution of the Nuisances Removal Act, 1855, and the Acts amending the same, for the reception and maintenance in any hospital belonging to or under the management of such board of any person suffering from any dangerous infectious disorder within the district of any such local authority, and any person received into an hospital by virtue of any such contract under this section shall be deemed to be maintained in such hospital by the local authority with whom the contract is made.

Any expenses incurred by a local authority for the maintenance of any person under this section shall be deemed to be due from such person to the local authority, and may be recovered by the local authority from him, or from his representatives, at any time within six months after his discharge from such hospital.

Power for Metropolitan Asylums Board to provide ambulances.

16. The Metropolitan Asylums Board may from time to time provide and maintain carriages suitable for the conveyance of persons suffering from any dangerous infectious disorder, and shall cause the same to be from time to time properly cleansed and disinfected, and may provide and maintain such buildings and horses, and employ such persons, and do such other things as are necessary or proper for the purposes of such conveyance.

All expenses incurred by the Metropolitan Asylums Board in the execution of this section to such extent as the Local Government Board may sanction shall be paid out of the Metropolitan Common Poor Fund.

Power to remunerate poor rate collectors for collecting rates in parts of parishes.

17. Where a rate is levied by the overseers of a parish over part of the parish only, the officers ordinarily employed in the collection of the poor rate shall, if required by the overseers, collect such first-mentioned rate, and shall receive out of the same such remuneration for the additional duty as the overseers, with the consent of the vestry, may determine.

Definitions.

"Metropolis." **18.** In this Act, unless inconsistent with the context,—
The expression "the Metropolis" means all parishes and places in which the Metropolitan Board of Works have for the time being power to levy the consolidated rate:

"Metropolitan Asylums Board." The expression "Metropolitan Asylums Board" means the Managers of the Metropolitan Asylums District:

"Parish." The expression "parish" means any parish, township, or place for which a separate poor rate is or can be made:

"Municipal borough." The expression "municipal borough" means a borough for the time being subject to the Municipal Corporation Act, 1835, and the Acts amending the same:

5 & 6 Will. 4. c. 76.

"Urban and rural sanitary district." The expressions "urban sanitary district" and "rural sanitary district" mean respectively an urban sanitary district and rural sanitary district within the meaning of the Public Health Act, 1875:

38 & 39 Vict. c. 55.

"Union." The expression "union" means a union of parishes under a general or local Act, with a separate board of guardians, and includes a parish for which there is a separate board of guardians:

"Guardians." The expression "guardians" means guardians appointed under the Poor Law Amendment Act, 1834, and the Acts amending the same, and includes guardians or other body of persons performing under any Local Act the like functions as guardians under the Poor Law Amendment Act, 1834.

4 & 5 Will. 4. c. 76.

Saving as to 39 & 40 Vict. c. 61. s. 43. **19.** Nothing in this Act contained shall repeal, alter, or affect any of the provisions of the forty-third section of the Divided Parishes and Poor Law Amendment Act, 1876.

CHAPTER 55.

An Act to reduce the Minimum Term of Penal Servitude in the case of a previous conviction, and to amend the Law with respect to the notifications and reports made under sections five and eight of the Prevention of Crimes Act, 1871. [15th August 1879.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Repeal of 27 & 28 Vict. c. 47. s. 2. as to minimum term for sentence of penal servitude. **1.** Whereas by section two of the Penal Servitude Act, 1864, it is enacted as follows:—"Where any person shall on indictment be "convicted of any crime or offence punishable with penal servitude, "after having been previously convicted of felony, or in Scotland, "of any crime (whether such previous conviction shall have taken "place upon an indictment, or under the provisions of the Act "passed in the eighteenth and nineteenth of Victoria, chapter one "hundred and twenty-six), the least sentence of penal servitude "that can be awarded in such case shall be a period of seven "years:" and it is expedient to repeal the said enactment: Be it therefore enacted as follows:

27 & 28 Vict. c. 47. So much of section two of the Penal Servitude Act, 1864, as is above recited is hereby repealed so far as regards any sentence awarded after the commencement of this Act.